



THE LAW OFFICE OF
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April 21, 2021

The Hon. Denise L. Cote
U.S. District Court Judge
Southern District of New York
VIA EMAIL AND ECF

Re: *U.S. v. Herman Bass, 20-cr-00179*

Dear Judge Cote,

I am CJA counsel for Herman Bass in the above-captioned matter. Mr. Bass is charged with bank fraud and wire fraud and expects to proceed to trial before this Court on June 7, 2021. I write now to request a bail review hearing for my client.

Mr. Bass was originally released on a \$20,000.00 personal recognizance bond signed by two financially responsible people, with some standard conditions. See ECF No. 84. The Court later added mental health evaluation and treatment as a condition of his release. See ECF No. 90. However, on April 7, this Court revoked Mr. Bass' bail and ordered a warrant for Mr. Bass in response to a violation memorandum submitted by Pretrial Services. See ECF Nos. 214, 215. As the Court is no doubt aware, my client was recently arrested in his hometown of Los Angeles and charged with several state-level felony charges in connection with an alleged domestic violence incident. I have conferred with his public defender in Los Angeles and confirmed that Mr. Bass has a preliminary hearing in connection with these charges on April 28, and that his current bail is \$170,000.00. Mr. Bass is currently incarcerated in a state facility in Los Angeles but expects to be able to post bond in that matter. As such, I would like to revisit his federal bail situation with a telephonic conference.¹

Mr. Bass has three financially responsible people who could co-sign onto a bond. These three people include: 1) his fiancée, who works as a Special Education teacher's assistant and earns \$2700.00 per month, 2) his sister, who works as a hairstylist and makes about \$3600.00 per month, and 3) his brother, who works in sales and makes about \$3000.00 per month. They all reside in the

¹ Admittedly I am unsure how to arrange for Mr. Bass to be present on the telephone at a bail review hearing given his current location, but it seems like it should be possible. If it is too difficult to arrange, then I might be able to get my client's consent to waive his appearance.



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Los Angeles area. Given the other bail that he will have to post in state court to be released from that facility, I would submit that an unsecured bond in the amount of \$100,000.00 should be sufficient with these three co-signers.

Finally, it should be noted that Mr. Bass' detention on the West Coast seriously impedes my ability to prepare for trial. Your clerk informed me yesterday that the Marshals informed him that they expected to bring Mr. Bass east to New York in mid-May. This would not give me much time to prepare with him here. As such, I respectfully must ask this Court to either release him on bond or instruct the Marshals to bring him to New York sooner, so that I may have adequate access to him to sufficiently and effectively prepare for trial.

Sincerely,

/s/

Matthew J. Galluzzo, Esq.

CC:

AUSA Kevin Mead
AUSA Jun Xiang

Defense counsel shall consult with the Government and schedule a bail hearing with the Court as soon as he desires. The Marshals have been asked to bring the defendant to New York as soon as possible.

*Denise Cole
April 21, 2021*